

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

ALEX BURTON, individually and on behalf of all others similarly situated; <i>Plaintiff,</i>	§ § § § § § § § §	Case No. MO:17-CV-00204-DC
v.		
AGILITY ENERGY, INC., <i>Defendant.</i>		

**ORDER APPROVING SETTLEMENT AGREEMENT
AND DISMISSING CASE WITH PREJUDICE**

BEFORE THE COURT is the Joint Motion to Approve Settlement Agreement filed by Plaintiff and Defendant. (Doc. 59). In the Complaint, the Plaintiffs allege that the Defendants violated the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 et seq., by failing to pay the class members overtime for hours worked in excess of forty hours in a workweek. Plaintiff and Defendant reached a settlement in this case and move the Court to approve their Settlement Agreement. *Id.* The parties filed the Settlement Agreement under seal. (Doc. 61).

The Court reviewed the proposed Settlement Agreement and finds that the settlement of this action is fair to all parties, reasonably resolves a bona fide disagreement between the parties concerning the merits of the claims asserted in this action, and demonstrates a good faith intention by the parties to fully and finally resolve all claims asserted. (Doc. 59). Accordingly, the Court hereby enters **FINAL JUDGMENT** in accordance with Rule 41 of the Federal Rules of Civil Procedure.

It is therefore **ORDERED** that the Joint Motion for Approval of Settlement is **GRANTED**, and the Settlement Agreement is **APPROVED**. (Doc. 59).

It is further **ORDERED** that the Clerk of the Court **CLOSE** this case.

It is finally **ORDERED, ADJUDGED, and DECREED** that all of Plaintiff's claims against Defendant are **DISMISSED WITH PREJUDICE**, with costs of court and attorney fees being assessed against the party incurring same, except as otherwise provided in the Settlement Agreement.

It is so **ORDERED**.

SIGNED this 20th day of February, 2019.

A handwritten signature in black ink, appearing to read 'David Counts', with a stylized star-like flourish at the end.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE